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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/897,172	07/02/2001	Ryusuke Sawatari	09792909-5085	2924

7590 12/21/2005

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EXAMINER

HUYNH, BA

ART UNIT	PAPER NUMBER
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2179

DATE MAILED: 12/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/897,172	Applicant(s) SAWATARI, RYUSUKE	
	Examiner Ba Huynh	Art Unit 2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

The declaration under 37 CFR 1.132 filed 10/6/05 is insufficient to overcome the rejection of claims 1-18 based upon US 6,636,249 (Rekimoto) as set forth in the last Office action because: The declaration fails to establish that subject matter disclosed by Rekimoto, claiming the foreign priority date of nearly 2 years prior to the applicant's application, was actually derived from the applicant's application (see MPEP 716.10). Accordingly, the Rekimoto is still a valid prior art in 102(e) rejection.

Claim Rejections - 35 USC § 102

Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by US patent #6,636,249 (Rekimoto).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

- As for claims 1, 12: Rekimoto teaches a link information display device and corresponding method for displaying link information transmitted by a link information transmitter (see abstract; 8:50-60), comprising the means/steps of:

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video input means 21 for obtaining video signal of real space (6:65-66; 8:61-68),
receiving means for receiving the link information comprising link content
information and link position information wherein the link position information being
virtual space position information (7:25-29, 58-61; 9:10-25; 12:53-56),
display position determining means for determining a display position of the link
content information on the basis of the link position information (7:63-8:1; 9:46),
superimposing means for superimposing the link content information onto the video
signal (8:5-15; 9:36-39), and
display means 11 for displaying the superimposed video signal (8:1-3; 9:36-39). See
also descriptions of figures 6, 13 and 22.

- As for claim 2: The image input means comprises camera 21 for imaging the image
signal of an actual object (6:65-66; 8:61-68).
- As for claim 3: The image input means comprises an image signal reproducing
device for reproducing the image signal stored onto an image recording medium
(6:65-66; 8:61-68; 9:40-42).
- As for claims 4, 18: The device further comprises a storing means for storing the
superimposed image signal (9:40-42).
- As for claims 5, 13: The device further comprises attribute detection means for
detecting attribute information from the received link information (7:24-28, 58-61;
8:50-61).
- As for claims 6, 14: Link information can be selected based on detected attribute
(7:34-39; 8:61-67).

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- As for claims 7, 15: The device further comprises link position detection means for detecting link position information from the received link information (7:24-28; 8:50-61).
- As for claim 8: The device further comprises transmitter detection means for detecting the position of the transmitter in accordance with the received link information (9:20-25; 19:29-39; 20:17-43).
- As for claims 9, 10, 11, 16, 17: The device further comprises coordinate conversion means for determining a display position to display a link on the display means in accordance with the link position information (9:64 – 10:6; 26:36-67).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ba Huynh whose telephone number is (571) 272-4138. The examiner can normally be reached on Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ba Huynh
Primary Examiner
AU 2179
12/15/05

BA HUYNH
PRIMARY EXAMINER